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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,161	12/02/2003	Simon Robert Walmsley	PEA21US	6711
24011 7590 05/01/2008 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA				
EXAMINER LEWIS, CHERYL RENF-A				
ART UNIT		PAPER NUMBER		
2167				
MAIL DATE		DELIVERY MODE		
05/01/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/727,161

Applicant(s)

WALMSLEY, SIMON ROBERT

Examiner

CHERYL LEWIS

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is in response to the applicants communication received on February 4, 2008.
2. Claims 1-21 are presented for examination.
3. The applicants have amended claim 1 in the amendment received on February 4, 2008. The amendment received on February 4, 2008 has not cancelled or added any new claims.
4. The applicants' arguments with respect to claims 1-21 have been considered but are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) he has abandoned the invention.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Murakami (Publication No. 2001/0014156 A1 B2 filed January 22, 2001).

7. Regarding Claim 1, Murakami teaches a common key generating method common key generator, cryptographic communication method and cryptographic communication system.

The method and associated system for a common key generating method common key generator, cryptographic communication method and cryptographic communication system as taught or suggested by Murakami includes:

a second entity selecting one or more pieces of information by requesting (§ 0040-0042), from the first entity one or more of the values for one or more of the pieces of secret information stored in the first entity together with encryption or decryption function (§ 0040-0042); and in response to the selection request, the first entity outputting the values to the second entity for use with encryption or decryption function stored in the second entity without outputting the one or more pieces of secret information (§ 0040-0042).

8. Regarding Claim 2, Murakami teaches the pieces of secret information has an associated index and the request includes one or more of the indexes to identify those pieces of secret information for which the values are requested (§ 0040-0042)

9. Regarding Claim 3, Murakami teaches a request for the values all of the pieces of secret information and the response orders the values such that the second entity can determine which values are associated with which piece of secret information and can use the order to generate an index for the secret information (§ 0040-0042).

10. Regarding Claim 4, Murakami teaches receiving a request from the second entity identifying a function (§ 0040-0042) and identifying the index of a piece of secret

information to be used in performing the function and performing the function using the identified piece of secret information (§ 0040-0042)

11. Regarding Claim 5, the limitations of this claim have been presented in the limitations of claims 1, 3, and 4 presented above. It is therefore rejected as set forth above.
12. Regarding Claim 6, Murakami teaches secret information is stored in one or more physical locations of the first entity (§ 0040-0042), and wherein the values are not indicative of those physical locations (§ 0040-0042).
13. Regarding Claim 7, Murakami teaches the first entity is implemented in a first integrated circuit (figure 4 and the second entity is implemented in a second integrated circuit (figure 4.
14. Regarding Claim 8, Murakami teaches a memory for storing the pieces of secret information and the values (§ 0040-0042).
15. Regarding Claim 9, Murakami teaches the physical location of a piece of the secret information having particular attributes (§ 0040-0042).
16. Regarding Claim 10, Murakami teaches each of the pieces of secret information is a key for use with a corresponding authentication (§ 0040-0042).
17. Regarding Claims 11 and 13, the limitations of this claim has been noted in the rejection of claim 10 above. It is therefore rejected as set forth above.
18. Regarding Claim 12, Murakami teaches the attribute stored for at least one of the pieces of secret information is the length of that at least one of the pieces of secret information (§ 0040-0042).

19. Regarding Claim 14, Murakami teaches the attribute value stored for at least one of the pieces of secret information is indicative of a permission associated with that at least one of the pieces of secret information (§ 0040-0042).
20. Regarding Claims 15 and 21, the limitations of this claim has been noted in the rejections of claims 9-14 presented above. It is therefore rejected as set forth above.
21. Regarding Claims 16-20, Murakami teaches the means which essentially comprises the same means as a printer (§ 0060).

NAME OF CONTACT

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Art Unit: 2167

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Cheryl Lewis/
Patent Examiner, A.U. 2167
April 28, 2008